

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 34/AIL/Lab./J/2011, dated 10th February 2011)

NOTIFICATION

Whereas, the Award in I.D. No. 7/2008, dated 3-12-2010 of the Labour Court, Karaikal in respect of the industrial dispute raised by Thiru M. Narayanasamy against the management of M/s. Ambagarathur Co-operative Milk Society Limited, Karaikal over his non-employment has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G. O. Ms. No.20/91/Lab/L, dated 23-5-91, it is hereby directed by Secretary to Government (Labour) that the said award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,

Joint Secretary to Government (Labour).

BEFORE THE LABOUR COURT, KARAİKAL

Present : Tmt. R. MARGARET ROSALINE, M.L.,
Presiding Officer, District Judge.

*Friday, the 3rd day of December 2010.***I. D. No. 7/2008**

Narayanasamy .. Petitioner

*Versus*Ambagarathur Co-operative .. Respondent
Milk Society Limited.

This petition coming on this day for hearing before me in the presence of Thiru A.Thirumal Valavan, advocate for the petitioner, Thiru S. Suriamoorthy, advocate for the respondent, and later the respondent was called absent and was set *ex parte*, upon hearing the petitioner and perusing the case records, this court passed the following:

AWARD

This is a reference under the Industrial Disputes Act, 1947 regarding the dispute within the management of M/s. Ambagarathur Co-operative Milk Society Limited, Ambagarathur, Karaikal and its workman M.Narayanasamy over his non-employment in G.O.Rt.No.134/AIL/Lab./J/2008, dated 30-7-2008.

The following issues are found in the Annexure:

(1) Whether the dispute raised by Thiru M. Narayanasamy against the management of M/s. Ambagarathur Co-operative Milk Society Limited, Ambagarathur, Karaikal over his non-employment is justified or not?

(2) To what relief, Thiru M. Narayanasamy is entitled to?

(3) To compute the relief, if any, awarded in terms of money, if it can be so computed?

2. Notice had been served on the respondent and objection to the claim statement had been filed. Thereafter the respondent was called absent and was set *ex parte*. The petitioner filed his proof affidavit as PW.1 and Ex.P1 to Ex.P5 have been marked. Perused. Award passed. As the petitioner has proved that he was employed since 6-2-2002 by the respondent as daily wages and has been retrenched without any enquiry or following statutory requirements, he is directed to be reinstated into service with immediate effect with continuity of service. As far as the back wages is concerned, he is entitled for 5% backwages alone as per the last paid wage. As the petitioner has not proved through documentary evidence to show his right to claim arrears as averred in the petitioner, he is not entitled for the same. Hence the petition is partly allowed accordingly without costs.

Written down and pronounced by me in the open court on this the 3rd day of December 2010.

R. MARGARET ROSALINE,
Presiding Officer, Labour Court,
Karaikal.

Petitioner's witnesses :

PW.1—Narayanasamy

*Respondent's witnesses : Nil**Petitioner's exhibits :*

Ex.P1—5-2-2002 Office order issued to the petitioner

Ex.P2—4-2-2002 Xerox copy of the board resolution

Ex.P3—19-1-2006 Pay certificate of the petitioner

Ex.P4—2-11-2001 Xerox copy of the circular

Ex.P5—2-11-2001 Xerox copy of the circular.

Respondent's exhibits : Nil

R. MARGARET ROSALINE,
Presiding Officer, Labour Court,
Karaikal.

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Rt. No. 37/AIL/Lab./J/2011, dated 17th February 2011)

NOTIFICATION

Whereas, the Award in I.D. No. 29/2008, dated 26-11-2010 of the Labour Court, Puducherry in respect of the industrial dispute raised by the Anna Thozhilalar union against the management of M/s. Anglo-French Textiles, Puducherry over non-promotion/confirmation of Thiru V. Sivasankaran has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G. O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

G. MALAR KANNAN,

Joint Secretary to Government (Labour).

BEFORE THE LABOUR COURT AT PONDICHERRY

Present : Thiru T. MOHANDASS, M.A., M.L.,
II Additional District Judge,
Presiding Officer, Labour Court.

*Friday, the 26th day of November 2010***I.D. No. 29/2008**

The President,
Anna Thozhilalar Union,
Rodiar Mill Street, Mudaliarpeth .. Petitioner

Versus

The Managing Director,
Anglo-French Textiles,
Pondicherry .. Respondent

This industrial dispute coming on 22-10-2010 for final hearing before me in the presence of Thiruvalargal R.S. Zivanandam, D. Ravichandran, S. Ashok Kumar, advocates for the petitioner, Thiru B. Mohandoss, advocate for the respondent, upon hearing both sides, upon perusing the case records, after having stood over for consideration till this day, this court passed the following :

AWARD

This industrial dispute arises out of the reference made by the Labour Department, Government of Pondicherry *vide* G.O. Rt. No. 128/AIL/Lab./J/2008, dated 21-7-2008 for adjudicating the following:—

(a) Whether the dispute raised by Anna Thozhilalar Union against the management of M/s. Anglo-French Textiles, Pondicherry over non-promotion/confirmation of Thiru V. Sivasankaran is justified or not?

(b) To what relief, he is entitled to?

(c) To compute the relief, if any, awarded in terms of money, if it can be so computed?

2. The petitioner in his claim statement, has averred as follows:

Thiru V. Sivasankaran was appointed as an employee of Anglo-French Textiles and posted to work in the category known as Spare Parts Helper Transport in the muster under the control of Picanol Maintenance. It was in the practice from the erstwhile management to engage Attenders as Clerks in the absence of shortfall of Clerks and later used to promote them as Clerks. One Thiru Natarajan, Attender of 'B' unit was engaged in the post of Clerk from 1987 and subsequently the said Natarajan died in the year 1991. Thiru V. Sivasankaran the concerned worker designated as Transport Helper was assigned to do the work of Attender. When vacancy arises in the post of Attender, it is the usual practice of the management to get the assistance of the worker to do the vacant post. Likewise, the concerned worker Thiru V. Sivasankaran was asked to do the duties of Attender from 1987.

Thiru V. Sivasankaran was engaged as an Attender and also as a Clerk from the year 1988 till date without proper promotion or confirmation in the post of Attender denying the monetary benefits and other benefits that are applicable to other employees, who are Attenders.

The Managers of 'B' unit have sent many letters to the Personnel Department, highlighting the case of Thiru V. Sivasankaran, who is posted as an Attender in place of Thiru Natarajan, who is posted as a Clerk. The respondent through its HR Department, Manager (Personnel) has called for details of the employees, who are working in higher categories *vide* No. PD/643/91, dated 11-3-1991. The unit has sent the necessary information to the Manager, Personnel heads *vide* letter NM/WS/No. 015, dated 15-3-1991. In spite of it, the management did no confirmation to higher category to the post of Attender.

Thiru V. Sivasankaran made his representation to Manager (Industrial Relations) through proper channel also by the Manager (Weaving). But the respondent confirmed three Attenders, who had been

appointed in daily rated basis in Head Office and Dispensary. Having not considered for promotion or confirmation Thiru Sivasankaran made his representation to the Managing Director and to the Chairman at last. Having found that there was no reply, he approached the Conciliation Officer through his trade union for the promotional benefits.

Thiru V. Sivasankaran has been engaged as Attender from the year 1988 and he had worked for more than 240 days in the higher position without benefits. Hence, this industrial dispute is filed to award monetary benefits that are entitled to Thiru V. Sivasankaran for the post of Attender and place him in the seniority list and thereby he may also be promoted to the post of Clerk with retrospective effect from the year 1991 with monetary benefits according to the scale of pay prevailing in the respondent's management to the relevant categories.

3. In the counter statement, the respondent has stated as follows:

It is true there was practice from the erstwhile management to engage Attenders as Clerks, where there was shortfall of Clerks and later to promote them as Clerks depending upon the permanent vacancy. Similarly the vacant post of Attenders used to be filled up from the post of existing workers, when there was shortfall of clerical staff based on permanent vacancy. Such a practice of engaging a person in a higher category of post in a temporary vacancy (as a stop-gap arrangement) cannot confer automatic right to hold that higher post. Unless confirmed in the officiating higher post, the person holding substantive lower post cannot claim for treatment on par with a person holding substantive higher post.

The Government of Pondicherry constituted a Special Industrial Tribunal to adjudicate the industrial dispute between the management and workmen of Anglo-French Textiles with respect to their demand for wage revision/benefits and the dispute was numbered as I.D.1/2000. The Special Industrial Tribunal after hearing both sides submitted an award to the appropriate Government on 18-4-2001 and the Government of Puducherry published the award in the official gazette, dated 11-8-2001. However, the Government of Puducherry simultaneously made a declaration under section 17A of Industrial Disputes Act that the award will not become enforceable on the expiry of 30 days from the date of publication of award on the ground that giving effect to that award will affect the national economy and social justice.

The Textile Technical Tradesman Association filed W.P. No. 15517/2001 to stay the operation of the notification issued by the Labour pending disposal of the W.P. and also to pass *adinterim* injunction

restraining A.F.T. and P.T.C. Limited, from entering into any wage settlement with their workmen pending disposal of the writ petition, the Association also filed W.P. No. 15518/2001 for a writ of declaration to declare sections 17A(1) and 17A(3) of the Industrial Disputes Act as ultravires the Constitution of India. As far as the arrears of wages part of the Government Order is concerned, the same has been implemented with effect from 1-1-2003 and limited to ₹ 15,000 and settled on 23-7-2005. The entire amount paid has been made only as tentative payments, subject to the final orders of the Hon'ble High Court in the said two writ petitions which are still pending in the Hon'ble High Court. During the pendency of the writ petition, the management cannot *suo moto* finalise the rationalisation of the employees. Hence, they pray for dismissal of the industrial dispute.

4. On the side of the petitioner, PW.1 was examined and made Ex.P1 to Ex.P24 were marked. On the side of the respondent, no oral evidence was adduced and Ex.R1 to Ex.R4 were marked by consent.

5. *The point for determination is :*

Whether the relief sought for by the petitioner can be allowed?

6. *On the point :*

This is an individual dispute of an employee, namely Sivasankaran, whose cause was espoused by the Labour Union, the petitioner herein against the employer M/s. Anglo-French Textiles, Puducherry.

7. The contention of the learned counsel for the petitioner is that the employee Sivasankaran, who is a member of the petitioner-union, joined the services of the respondent in the year 1986 as Spare Parts Helper Transport and his name is in the muster roll of the Department of Picanol Maintenance. The practice of the management is to engage the Attenders of the mill as Clerks in the event of any shortfall in that category. Likewise the vacant posts of Attenders were filled from the workers category. During the year 1987, one Natarajan, Attender was asked to do the job of Clerk and in his vacant post of Attender, the petitioner-union member Sivasankaran was asked to do the job of Attender. In the year 1991, the said Natarajan officiating as Clerk in the 'B' Unit of the mill also died. Hence, the said Sivasankaran was asked to do the duties of Clerk from the year 1991 onwards. Though he was assigned the duties of Clerk, he was not promoted to the post of Clerk and not paid the salary and other benefits of Clerk, as applicable to other Clerks of the mill. Therefore, he made several representations to the management to offer him the post of Clerk and to extend the benefits of Clerk right from the date on which he was assigned to do that work, but as the management did not budge to this request, he has approached the petitioner-union, to espouse his cause, which in turn has resulted in the industrial dispute.

8. *Per contra*, the contention of the respondent is that it has been the practice of the management to engage Attenders as Clerks, where there was shortfall of Clerks and later to promote them as Clerks depending upon the permanent vacancy and similarly, the vacant post of Attenders was used to be filled up from the post of existing workers, when there was shortfall of clerical staff, based on permanent vacancy. Such a practice of engaging a person in higher category of post in a temporary vacancy (as a stop-gap arrangement) cannot confer automatic right to hold the higher post. Such a practice has got sanction in service jurisprudence and it not uncommon in Government service also to appoint a person holding a substantive lower post to work temporarily in a higher post called officiating post. It is further contended that the Government of Pondicherry, *vide* G.O. Ms. No. 14/2000-Lab./L of the Labour Department, dated 28-7-2000, constituted the Special industrial tribunal to adjudicate upon the industrial dispute between the management and workmen of Anglo-French Textiles in I.D. 1/2000 with respect to their demand for wage revision benefits with effect from 1-1-1999. The Special Industrial Tribunal passed an Award on 18-4-2001, but Government of Pondicherry *vide* Notification G.O. Ms. No. 24/2001, dated 11-8-2001, under section 17A of the Industrial Disputes Act, declared that the said Award will not become enforceable because the Award would affect the national economy and social justice. Aggrieved by the said notification, the Textiles Technical Tradesmen Association filed writ before the Hon'ble High Court in W.P.15517/2001 for staying the operation of notification in G.O. Ms.No.24/2001, dated 11-8-2001, issued by the Labour Department and to restrain the respondent from indulging in any wage settlement with its workmen, pending disposal of the writ petition. The said Association also filed W.P. No.15518/2001 to declare sections 17A(1), 17A(2) and 17A(3) of the Industrial Disputes Act as ultravires of the Constitution of India. The respondent would therefore contend that as the writ petitions are pending, the petitioner-union has no *locus standi* to maintain this industrial dispute.

9. On the side of the petitioner-union, the President of the union was examined as P.W.1 and Exs.P1 to P24 marked. On the side of the respondent, no oral evidence was adduced, but Exs.RI to R4 were marked by consent.

10. Now it has to be seen whether the petitioner-union is entitled for the relief sought for.

11. The member of the petitioner-union, *viz.*, Sivasankaran is a permanent employee in the muster roll of the respondent, as defined in the Standing Orders of the respondent-mill. From the documents marked as Exs.P1 to P24, it is seen that the officers of the respondent's 'B' Unit have sent many letters to the Personnel Department highlighting the case of Thiru V. Sivasankaran, who is posted as an Attender in place of Thiru Natarajan, who died in service of the mill

as Clerk. It is also seen that the respondent through the Manager (Personnel) has called for details of the employee who are working in higher categories *vide* No. PD/643/91, dated 11-3-1991 and in reply thereto, the Weaving Master of 'B' Unit has sent the necessary particulars to the Manager (Personnel) *vide* letter NM / WS / No. 015, dated 15-3-1991, but the management did not choose to offer the post of Clerk to the employee Sivasankaran. It is further seen that though the employee Sivasankaran has made several representations to the respondent, his plea was not considered and instead, the respondent is found to have confirmed three Attenders who were appointed on daily rated basis in the Head Office and Dispensary.

12. There is no dispute that the employee V. Sivasankaran has been engaged as Attender from the year 1988 and he had worked for more than 240 days in the higher position of Clerk since the year 1991 without benefits. It is not expected of the respondent to make use of the service of the employee for nearly 20 years without giving the monetary benefits intended for the higher post.

13. However, at the outset, it has to be seen that the respondent-management has clearly admitted in the counter statement filed by them that it is a practice followed by the management to fill the vacant post of Attenders from the post of existing workers and to engage Attenders as Clerks, where there was shortfall of Clerks and later to promote such of those Attenders as Clerks depending upon the permanent vacancy. However, the learned counsel argued before this court that simply because the employee was asked to look after the duties of the Clerk, it would confer upon him the right to claim promotion to the post of Clerk, since such an appointment was made only as a stop-gap arrangement on a temporary basis and the promotion to the post of Clerk could be considered only when a permanent post of Clerk falls vacant.

14. This court does not concur with the argument of the learned counsel for the respondent. It may be true and correct that a employee holding a lower post may be asked to look after the duties attached to the next higher post due to certain exigencies. But the period of time for which the employee would be so required to look after the duties in the higher post, should be short. In the instant case, the employee Sivasankaran, who was working as Attender, was asked to look after the works of Clerk in the 'B' Unit of Anglo-French Textiles since the year 1991, as one Natarajan. who worked as Clerk, died and the employee Sivasankaran still continues to hold the post. Such an act of the management requiring the employee to perform the duties of Clerk in duly sanctioned vacant post of Clerk may be irregular, though not illegal, but the employee has continued to work as Clerk for nearly 20 years, without any objection from any category of staff and without intervention of orders of court or tribunals. The learned counsel for the petitioner has relied upon the following decisions:-

1997 LAB.I.C.1807:

Nazrul Hassan Siddiqui Vs. Presiding Officer, Central Government Industrial-cum-Labour Court No.2. Bombay and others:—

“Employee working in higher post - Sch.2, Item 6 - Claiming classification of higher post and for payment of salary of that post - Individual dispute raised by him though not sponsored by substantial number of workmen in industry - He would be entitled to be regularised on that post and entitled to payment of higher salary for work discharged on that post.”

1989 LAB.I.C.2010:

Council of Scientific and Industrial Research and another Vs. K.G.S. Bhatt and another:—

“Administrative Tribunals Act (1985) S.10- Promotion -Public or private organisations- Opportunity of advancement has to be given- Person is appointed not just for job but for whole career.”

AIR 2006 Supreme Court 1806:

Secretary, Sate of Karnataka and Others Vs. Umadevi and Others:—

One aspect needs to be clarified. There may be cases where irregular appointments (not illegal appointments) as explained in S.V. Narayanappan (Supra), R.N. Nanjundappa (Supra) and B.N. Nagarajan (Supra) and referred to in paragraph 15 above, of duly qualified persons in duly sanctioned vacant posts might have been made and the employees have continued to work for ten years or more but without the intervention of orders of courts or of tribunals. The question of regularisation of the services of such employees may have to be considered on merits in the light of the principles settled by this court in the cases above referred to and in the light of this judgment. In that context, the Union of India, the State Governments and their instrumentalities should take steps to regularise as a one time measure, the services of such irregularly appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of courts or of tribunals and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that require to be filled up, in cases where temporary employees or daily wagers are being now employed. The process must be set in motion within six months from this date. We also clarify that regularisation, if any already made, but not subjudice, need not be reopened based on this judgment but there should be no further by

passing of the constitutional requirement and regularising or making permanent, those not duly appointed as per the constitutional scheme.”

Under the above circumstances, the question of regularisation of services of the employee Sivasankaran may have to be considered on merits in the light of the principles settled by the Hon'ble Apex Court in Secretary, State of Karnataka and others Vs. Umadevi and others [AIR 2006 SC 1806].

15. The contention of the respondent is that the petitioner-union has no *locus standi* to maintain this industrial dispute because of notification in G.O. Ms. No. 24/2001, dated 11-8-2001, under section 17A of the Industrial Disputes Act and the consequent writ petition filed before the Hon'ble High Court in W.P.15517/2001 for staying the operation of notification in G.O.Ms.No.24/2001, dated 11-8-2001, issued by the Labour Department and to restrain the respondent from indulging in any wage settlement with its workmen, pending disposal of the writ petition as well as W.P. No. 15518/2001 filed to declare sections 17A(1), 17A(2) and 17A(3) of the industrial Disputes Act as ultra-vires of the Constitution of India. In W.P. No.15518/2001 the Hon'ble High Court has held as follows:-

“In the light of the above legal position, applying the principles stated in Kusum Ingots case, cited *supra*, I am of the view that the impugned provision *viz.*, section 17-A of the Industrial Disputes Act, 1947, is no more in force in the Union territory of Puducherry also in pursuance of the judgment of the High Court of Andhra Pradesh in Telugunadu Work charged Employees Vs. Government of India, cited *supra*. There can be no doubt that the judgment of the High Court of Andhra Pradesh in which it has been adjudged that section 17-A of the Act is unconstitutional, will have effect throughout the Territory of India.

In view of the said position, I am of the view that it would be suffice for this court to declare that section 17-A of the Industrial Disputes Act, 1947 is void and the same is unenforceable in the Union territory of Puducherry also, and consequently, the impugned notification, dated 11-8-2001 passed by the Puducherry Government under section 17-A of the Act is liable to be set aside. In the result all these writ petitions are allowed; it is hereby declare that section 17-A of the Industrial Disputes Act, 1947 is void and consequently the impugned notification, dated 11-8-2001 passed under section 17-A of the Industrial Disputes Act, 1947 by the Union territory of Puducherry is set aside.”

From the above observation of Hon'ble High Court, Madras, section 17-A of Industrial Dispute Act is no more in force of Puducherry.

16. Irrespective of an organisation being public or private, promotional opportunity of advancement has to be given and it is the duty of the organisation to see that an employee is appointed not only for job, but also for whole career. Further the above said two writ petitions had already been disposed by the Hon'ble Court in favour of the workmen, which has also been admitted by both counsels. Hence, the contention of the learned counsel for the respondent in this regard cannot be accepted.

17. Therefore, in view of the above discussions, this industrial dispute is answered to the effect that the dispute raised by Anna Thozhilalar Union against the management of M/s. Anglo-French Textiles. Puducherry, over the non-promotion/confirmation of Thiru V. Sivasankaran is justified and that the employee Thiru V. Sivasankaran is entitled for regularisation of service in the post of Clerk from the year 1991 onwards and he is to be given the due pay and allowances attached to the post with all attendant benefits.

18. In the result, the industrial dispute is allowed and the respondent is hereby directed to place Thiru V. Sivasankaran in the post of Clerk with retrospective effect from the year 1991 with other benefits according to the scale of pay prevailing in the respondent's management to the relevant categories. However in the circumstances of the case, there is no order as to costs.

Typed to my dictation, corrected and pronounced by me in the open court on this the 16th day of April 2010.

T. MOHANDASS,
II Additional District Judge,
Presiding Officer, Labour Court.
Pondicherry.

List of witnesses examined for the petitioner :

P.W.1—8-4-2010—Krishnamoorthy

List of witnesses examined for the respondent : Nil.

List of exhibits marked for the petitioner :

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| Ex.P1 — 1-2-1988 | Letter No. NM / WS / 89 by management. |
| Ex.P2 — 30-6-1990 | Letter No. NM / WS / 1003 by management |
| Ex.P3 — 16-3-1991 | Letter No. NM / WS / 015 by management. |
| Ex.P4 — 11-3-1991 | Letter No. Pd / 643 / 91 by management. |

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| Ex.P5 — 22-4-1991 | Letter No. NM / WS / 102 by management. |
| Ex.P6 — 7-10-1991 | Letter No. NM / WS / 406 by management. |
| Ex.P7 — 12-10-1991 | Letter No. BU / NM / 416 by management. |
| Ex.P8 — 4-5-1992 | Letter No. BU / NM / 759 by management. |
| Ex.P9 — 15-3-1993 | Letter No. Nil to the Manager (Personnel) |
| Ex.P10 — 7-10-1993 | Letter No. BU / MW / No. 219 by management. |
| Ex.P11 — 24-9-1994 | Letter No. BU / MW / No. 577 by management. |
| Ex.P12 — 2-12-1999 | Letter No. BU / MW / No. 123 by management. |
| Ex.P13 — 3-1-2000 | Letter No. Nil by petitioner |
| Ex.P14 — 18-4-2000 | Letter No. Pd/248/2000 |
| Ex.P15 — 26-11-2003 | Letter No. Nil by petitioner |
| Ex.P16 — 30-6-2005 | Letter No. Nil by petitioner. |
| Ex.P17 — 14-9-2006 | Letter No. BU / MW / Wvg / 092 / 2006. |
| Ex.P18 — 26-7-2005 | Resolution passed by Anna Thozhilalar Union. |
| Ex.P19 — 23-11-1999 | Appointment Order No. PTC/ A.O/16/ Regular/05/99/333. |
| Ex.P20 — 23-11-1999 | Appointment Order No. PTC/ A.O/16/Regular/05/99/334. |
| Ex.P21 — 23-11-1999 | Appointment Order No. PTC/ A.O/16/Regular/05/99/335. |
| Ex.P22 — 26-7-2005 | Demand notice from the petitioner to management. |
| Ex.P23 — 15-11-2006 | Letter to Conciliation by the petitioner to Labour Officer. |
| Ex.P24 — 21-7-2008 | Notification issued by Government of Pondicherry. |

List of exhibits marked for the respondent :

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| Ex.R1 — | Gazette Notification |
| Ex.R2 — | Copy of the order passed by the Hon'ble High Court, Madras, dated 3-9-2002. |
| Ex.R3 — | Copy of the abstract passed by the Government of Pondicherry. |
| Ex.R4 — | Copy of the order, dated 20-7-2005 by the respondent mill. |

T. MOHANDASS,
II Additional District Judge,
Presiding Officer, Labour Court.
Pondicherry.